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Seventh report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. In its resolution 1341 (2001) of 22 February 2001, the Security Council demanded that the parties to the Lusaka Ceasefire Agreement (S/1999/815, annex) implement fully the Kampala plan and the Harare sub-plans for disengagement and redeployment of forces without reservations within the 14-day period stipulated in the Harare Agreement, starting from 15 March 2001. The Council also endorsed the updated concept of operations put forward by the Secretary-General relating to the deployment of the civilian and military personnel required to monitor and verify the implementation of the disengagement plans by the parties.

2. In the same resolution, the Security Council urged the parties to the Lusaka Agreement to prepare and adopt, not later than 15 May 2001, in close liaison with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), a precise plan and schedule which, in accordance with the Lusaka Agreement, would lead to completion of the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo, and requested the Secretary-General to report by 15 April 2001 on the progress of those efforts. The Council also urged the parties to the conflict, in close liaison with MONUC, to prepare, also by 15 May, prioritized plans for the disarmament, demobilization, reintegration, repatriation or resettlement of all armed groups referred to in annex A, chapter 9.1, of the Lusaka Agreement.

3. The present report is submitted in accordance with the above resolution and reflects developments since the Secretary-General's sixth report on MONUC of 12 February 2001 (S/2001/128).

4. As the present report was being finalized, the planned deployment of United Nations troops to Kisangani was blocked by the authorities of the Rassemblement congolais pour la démocratie (RCD). RCD had demanded that MONUC investigate alleged ceasefire violations committed by the Forces armées congolaises (FAC) in Kasai Province. The Government of the Democratic Republic of the Congo has denied these allegations. MONUC has begun an investigation, but insisted to RCD that there should be no linkage between the alleged violations and the deployment of the 120-strong United Nations Moroccan contingent in Kisangani. In view of the refusal of RCD to permit the Moroccan contingent to land in Kisangani, they and their equipment were diverted to Bangui on 15 April.

5. In this connection, the Chargé d'affaires of the Permanent Mission of the Democratic Republic of the Congo to the United Nations wrote to the President of the Security Council on 16 April 2001 (S/2001/361).

II. Political developments

6. The achievements of the 15 February regional summit in Lusaka and the meetings of 21 and 22 February of the Security Council with the Political Committee in New York revived hopes for progress in the implementation of the Lusaka Agreement. The parties committed themselves to the Kampala plan and the Harare sub-plans for disengagement and

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redeployment of forces, signed in April and December 2000, respectively. In addition, President Kabila undertook to permit Sir Ketumile Masire to continue with his work as the neutral facilitator of the inter-Congolese dialogue. Further impetus was given to the peace process through the adoption of resolution 1341 (2000), in which the Security Council reaffirmed its authorization contained in resolution 1291 (2000) of 24 February 2000 and the mandate set out in that resolution for the expansion and deployment of MONUC.

7. In a letter dated 26 February 2001 addressed to me (S/2001/174), the Government of the Democratic Republic of the Congo welcomed the adoption of resolution 1341 (2001), describing it as an important step in accelerating the peace process, and pledged to respect the relevant provisions of the resolution fully. The Government reaffirmed its position on the inter-Congolese dialogue, which it regards as essential for the reconciliation of the Congolese people, and reiterated its commitment to an open national dialogue under the aegis of Sir Ketumile Masire.

8. In our telephone conversation on 24 February, President Kagame confirmed to me Rwanda's intention of disengaging its forces 200 kilometres from forward positions and stressed that his country had made a commitment to withdraw far beyond what the other parties had agreed. The President expressed confidence that RCD would fulfil its commitment to withdraw from Pweto.

9. On 26 February, the Foreign Ministers of the States members of the European Union (EU) expressed their satisfaction at the outcome of the Lusaka summit and the Security Council meetings on the Democratic Republic of the Congo, and proposed a progressive resumption of aid to the country. The Ministers commended the peace overtures of the Government of the Democratic Republic of the Congo and its stated intention to conduct economic reform and welcomed the contact that President Kabila had made with the International Monetary Fund (IMF) and the World Bank.

10. President Kabila received my Special Representative, Mr. Kamel Morjane, on 5 March and confirmed the full support of his Government for the deployment of MONUC and the agreement on the disengagement and redeployment of forces. The President also expressed concern over the humanitarian and human rights situation in the eastern provinces of the country.

11. On 9 March, leaders of the Southern African Development Community, meeting in Windhoek, expressed satisfaction at developments in the Democratic Republic of the Congo and congratulated President Kabila for his peace overtures towards the opposition, which had paved the way for the neutral facilitator of the inter-Congolese dialogue to resume his work.

12. Subsequent to President Kabila's visit to IMF and the World Bank in early February, a joint IMF/World Bank team arrived in Kinshasa on 14 March to study the economic situation and draw up a structural readjustment programme. At the conclusion of the visit, the institutions announced that they would consider a resumption of aid to the Democratic Republic of the Congo after a six-month period, during which the Government would conduct basic reforms.

13. From 12 to 16 March, President Kabila visited the United Kingdom of Great Britain and Northern Ireland, Norway, Sweden and Belgium with the aim of strengthening diplomatic relations. During his visit, he stated his intention to reorder the Government, and confirmed his acceptance of Sir Ketumile Masire as facilitator of the inter-Congolese dialogue. He expressed the hope that the national dialogue would lead to the holding of elections, but warned that they could not take place before the country was united, a census was held and the necessary infrastructure put in place. On 16 March, the President of the European Commission, Mr. Romano Prodi, pledged to release euro 120 million in development aid should future talks between President Kabila and the facilitator yield concrete progress.

14. On 16 March, President Kagame met with President Chiluba in Lusaka. The leaders reviewed the decisions taken during the Lusaka summit of 15 February, which President Kagame had not attended. Subsequently, President Kagame met with President Mbeki in Pretoria to discuss issues relating to peace in the Democratic Republic of the Congo and the Great Lakes region.

15. President Kabila visited Geneva to address the Commission on Human Rights on 30 March and held talks with President Chirac, who addressed the Commission on the same day. President Kabila also met with me and gave further assurances of his full

cooperation with the United Nations peacekeeping operation in the Democratic Republic of the Congo. He expressed an earnest desire for peace with his neighbours and indicated that he would be pursuing bilateral contacts with Uganda, Rwanda and Burundi.

16. The Minister for Foreign Affairs of Uganda, Mr. Eriya Kategaya, visited Kinshasa on 3 April and was received by President Kabila. During his visit, Mr. Kategaya announced that Uganda was satisfied that the country's border with the Democratic Republic of the Congo was now secure and was ready to withdraw all its troops. It is anticipated that a meeting between President Kabila and President Museveni will take place within the near future.

Inter-Congolese dialogue

17. President Kabila met with Sir Ketumile Masire during the fifth extraordinary session of the Assembly of Heads of State and Government of the Organization of African Unity (OAU), held at Syrte, Libyan Arab Jamahiriya, on 1 and 2 March, and invited the facilitator to visit Kinshasa for discussions on the modalities of the inter-Congolese dialogue.

18. On 12 March, President Kabila met with a number of Congolese political and civil society representatives to review the regulation of political activity. However, the representatives of some of the major opposition parties did not attend the meeting. Subsequently, the Government established a commission to review Decree-laws Nos. 194 and 195 of 29 January 1999, which restricted political parties and their activities. On 27 March, the Commission Paritaire recommended amendments to the decree-laws, which, if adopted, would allow all political parties registered under a 1990 law to operate.

19. Sir Ketumile Masire arrived in Kinshasa on 18 March, and was welcomed by all Government ministers. The facilitator had a three-hour meeting with President Kabila, followed by a joint press conference during which Sir Ketumile announced that common ground had been reached for the conduct of the national dialogue and that the process would be as inclusive as possible. The facilitator took the opportunity to introduce Mr. Mohamed El Hacen Ould Lebatt, former Minister for Foreign Affairs of Mauritania, who will head his office in Kinshasa.

20. Following his departure from Kinshasa, Sir Ketumile held talks with EU officials in Brussels, where he characterized his meeting with President Kabila as sincere, profound and productive. On 22 March, the EU announced it would release euro 1.9 million in support of the facilitation process.

21. The facilitator returned to the Democratic Republic of the Congo where he visited the eastern part of the country from 29 March to 3 April. He met there with members of the political opposition and civil society. He also met with the leaders of RCD in Goma, and with the Front de Libération du Congo (FLC) in Beni. These discussions were principally concerned with representation in, and the date and venue of, the dialogue. RCD leaders emphasized that all participants in the inter-Congolese dialogue should have equal status in accordance with the spirit of the Lusaka Agreement. The facilitator had previously met, in Johannesburg, with the leader of the Rassemblement congolais pour la démocratie-Mouvement de Libération (RCD-ML) and received, in Gaborone, a delegation from RCD.

22. Between 8 and 10 April, Sir Ketumile visited Kinshasa, where he met with President Kabila as well as representatives of the political opposition and civil society. From Kinshasa the facilitator proceeded to Kananga and Lubumbashi for further consultations with Congolese participants.

Congolese rebel movements

23. In my report of 12 February 2001 (S/2001/128), I noted that three rebel movements had merged to form FLC. The new movement comprises the Mouvement pour la libération du Congo (MLC), RCD-ML and RCD-National (RCD-N), and its leader is Mr. Jean-Pierre Bemba. In a letter dated 5 March 2001 addressed to the Chairman of the Joint Military Commission (JMC), the RCD-ML delegate recalled that RCD-ML and MLC were independent signatories to the Lusaka Agreement and should be treated as such.

24. In a letter dated 23 March 2001 addressed to me, Mr. Bemba informed me of an agreement that Mayi-Mayi groups in North Kivu had allied themselves to FLC and would be forming a "Division spéciale Mayi-Mayi" within the military forces of FLC. The agreement also provides for the opening of camps for Ugandan, Rwandan and Burundian refugees and

requested United Nations logistical assistance in the creation and functioning of the camps.

25. During a visit to South Africa in February, the leader of RCD, Mr. Adolphe Onusumba, declared that peace was now more attainable than it had been in almost three years and that the window of opportunity that had been opened should not be ignored. He urged the warring factions in the conflict to stop procrastinating and meet urgently in order to avert renewed conflict and to show the people that they were mobilizing towards democracy. While in South Africa, Mr. Onusumba held talks with representatives of the African National Congress party, which had indicated its desire to support the peace process in the Democratic Republic of the Congo. The RCD leader also met with the Truth and Reconciliation Commission and the Independent Electoral Commission in South Africa, for discussions on the feasibility of establishing similar institutions in the Democratic Republic of the Congo. Finally, he visited the neutral facilitator in Gaborone.

III. Military developments

26. The military situation has remained generally calm with significant ceasefire violations reported only around Bolomba in Équateur Province. Government and allied commanders have alleged repeated attacks by FLC on their positions near Bolomba and against re-supply ferries moving on the Ikelemba river between Mbandaka and Bolomba. The most serious incidents occurred on 28 February when FAC claimed to have suffered three fatalities and seven injured; on 11 March when 23 allied soldiers were injured on a ferry; and 16 March when a further three allied soldiers were injured. In a letter dated 19 March 2001 addressed to the President of the Security Council, the Permanent Representative of Namibia to the United Nations protested against FLC attacks on allied re-supply missions in the Bolomba area (S/2001/246).

27. Government and allied forces have threatened retaliatory action against FLC, and MONUC has received a report that allied aircraft attacked FLC positions near Bolomba on 15 and 16 March and dropped three bombs on Basankusu on 17 March. The allied Task Force Commander admitted to the air attacks around Bolomba, blaming a local commander who had since been reprimanded. For its part, FLC confirmed that its forces had attacked a ferry on the Ikelemba river on 11 March, but maintained that the allied soldiers on board were acting aggressively.

Withdrawal of foreign forces

28. In accordance with the undertaking given by the Permanent Representative of Rwanda to the United Nations to the President of Security Council on 18 February, troops of the Rwandan Patriotic Army (RPA) began withdrawing from their positions around Pweto in Katanga Province on 28 February. The withdrawal was monitored by a team of MONUC military observers who arrived in the town on 26 February and have remained there. An estimated 3,000 RPA troops moved in a north-easterly direction towards Moba, Pepa and Kalemie, where their arrival coincided with the reported repatriation of three battalions of the Burundian army. Subsequently, MONUC was informed by a senior Burundian official that the Burundese military presence in the Democratic Republic of the Congo was now limited to one battalion in Fizi and a second in Uvira.

29. In accordance with the 20 February announcement of the Government of Uganda, the repatriation of a battalion of the Uganda People's Defence Forces (UPDF) began on 28 February from Buta in Orientale Province. MONUC military observers monitored the outgoing flights. On 21 March, MONUC observers monitored the repatriation of a UPDF battalion from Libenge. Over 1,450 UPDF soldiers have been recorded as departing from Buta and Gemena.

30. On 20 March, a RPA battalion was withdrawn from Manono in Katanga Province to Rwanda. MONUC observers monitored the arrivals at Kigali airport. The Foreign Minister of Rwanda announced that a further 200 RPA soldiers had been repatriated the previous day.

31. The Ugandan Chief of Staff, General Odongo, has informed MONUC that one UPDF battalion from Beni had completed its repatriation to Uganda on 11 April. On 12 April, General Odongo requested MONUC's permission to use Bangoka airport in Kisangani for the repatriation of a second battalion, which is currently based in Bafwasende. On 7 April, a Zimbabwean military spokesman has also announced that Zimbabwe would reduce its troop strength in the Democratic Republic of the Congo by 5,000 men "in the near

future". Some 200 Zimbabwean troops have departed Mbandaka for Kinshasa.

Disengagement of forces

32. Beginning on 15 March, the date set for the start of disengagement in Security Council resolution 1341 (2001), RCD forces withdrew from Pweto to positions 15 kilometres to the east. MONUC observers monitored the withdrawal. In the areas of Ikela, Kananga, Kabinda and Kabalo, MONUC has received reports indicating withdrawals of RCD forces of distances of 15 kilometres and in some cases of much further. Reports have also suggested that RPA has withdrawn to distances consistent with its intention of a 200 kilometre disengagement.

33. On 23 March, the Joint Military Commission (JMC) adopted a supplementary protocol to the Harare disengagement sub-plans to take into account the decision of RCD to withdraw its forces to a distance of 15 rather than 200 kilometres. In the protocol, the parties agreed the new defensive positions for RCD forces, including arrangements for the sensitive areas of Pweto and Ikela airport. The parties further agreed to provide a minimum of one permanent liaison officer at each of the four regional JMCs and authorized the co-location of the regional JMCs in Boende, Kabinda, Kabalo and Lisala with the MONUC sector headquarters established in Mbandaka, Kisangani, Kananga and Kalemie.

34. Withdrawals have been observed on the FAC and allied side, despite a delay in the issuance of disengagement orders. MONUC observers at Dubie, near Pweto, reported a movement of FAC and Zimbabwean troops to new positions at Kamanga, about 15 kilometres south-west of Pweto. Forces armées congolaises troops in Equateur Province have also withdrawn down the Ubangui river from Mokolo towards Buburu. The allied Task Force Commander informed MONUC that allied disengagement from Ikela would be conditional on assurances of continued access to the airport for re-supply purposes. MONUC has rejected such conditionality, suggesting instead that the matter should be raised in JMC. MONUC expects to complete its deployment to Ikela by 20 April.

35. MONUC was also concerned that allied commanders in Kananga had declared that they had received orders for disengagement and redeployment only on 29 March. The Force Commander, General Diallo, raised the matter with the allied command, since the length of delay in FAC and allied disengagement in Kasai could not be attributed to initial confusion or communication difficulties. He was informed that disengagement in the Katanga area would be completed "within a few days" and that all FAC offensive elements were to be withdrawn from Kananga and Équateur.

36. There have been no reports or indications of disengagement by FLC forces. On 15 March, the FLC leader, Mr. Jean-Pierre Bemba, informed the MONUC Force Commander and the JMC Chairman that disengagement orders had been issued for a withdrawal of 15 kilometres from current positions, many of which are up to 100 kilometres forward of the agreed new positions stipulated in the Harare sub-plans. On 23 March, the FLC delegate to JMC announced that his movement would disengage only after: (a) MONUC had deployed in the areas to be vacated by the FLC forces in order to protect the civilian population; and (b) more progress had been achieved in the inter-Congolese dialogue. On 31 March, MONUC transported members of the diplomatic community to make a joint démarche to Mr. Bemba to urge compliance with the disengagement plans and strict adherence to the ceasefire. Mr. Bemba informed my Special Representative on 12 April 2001 that he would begin to disengage his forces, and agreed to MONUC deployment to Basankusu, Befale, Bolomba and Emate-Loa, but threatened to attack FAC if it committed atrocities in the areas vacated by FLC.

37. On 29 March, MONUC initiated the verification process with its monitoring teams based in Kalemie. The efforts of MONUC were hampered by the fact that none of the parties, except RCD-ML, had provided the required information on their current location, troop strength and equipment. In addition, not all the parties had submitted liaison officer details and the regional JMC at Kabalo is yet to be co-located with the MONUC Sector Headquarters in Kalemie. Nevertheless, the disengagement and redeployment of forces has been confirmed in the areas around Pweto, Dubie, Kabinda and Kabalo. The pace of verification will increase with the arrival of additional air assets and greater cooperation at Kalmie and Manono airports.

Armed groups

38. Throughout the past two months, there have been reports of incidents perpetrated by armed groups in the eastern provinces. In mid-February, MONUC received reports of an upsurge of fighting in South Kivu amid persistent rumours that arms had been flown to Shabunda from Kinshasa to support a Mayi-Mayi offensive. During March, a reduction in the activities of the armed groups, in particular the Mayi-Mayi, was noted. This reduction has occurred at a time when large numbers of Mayi-Mayi fighters in South Kivu have reportedly been surrendering to RCD, leading to speculation that many have since been recruited into the RCD military forces. A parallel development occurred in North Kivu where the FLC and Mayi-Mayi militias reached an agreement on 21 March (see para. 24 above).

39. Since the start of the disengagement process, MONUC has received reports of armed group activity in the Pweto and Kabalo areas. Local administrative and military officials in Kabalo claim that after the withdrawal of RPA and RCD forces from Lukula on 17 March, FAC troops and about 70 Mayi-Mayi militiamen entered the area. They also claim that FAC and Mayi-Mayi entered a town recently vacated by RCD forces, arresting nine people for collaboration with RCD and killing two of them in public.

Kisangani

40. Rwanda and Uganda have continued to maintain their forces at a distance of some 100 kilometres from the centre of Kisangani. However, RCD military elements have remained in the city, with its leaders maintaining that security concerns do not allow them to withdraw their forces before the arrival of United Nations troops. MONUC has nevertheless experienced difficulty obtaining a site for the Moroccan guard unit due to deploy to the city on 15 April. RCD were opposed to a MONUC permanent presence at either the port or Bangboka airport. Eventually, RCD leaders were persuaded to release space for a guard unit and facilities for air operations at both Kisangani airports and the ex-Governor's residential complex for troop accommodation.

41. In its letter dated 26 February 2001 addressed to the President of the Security Council (S/2001/174), the Government of the Democratic Republic of the Congo stated that the forces of Uganda, Rwanda and an armed opposition movement had not been withdrawn from Kisangani, contrary to the provisions of resolution 1304 (2000) of 16 June 2000. The Government called for implementation of paragraph 14 of the resolution, which expressed the view that Rwanda and Uganda should make reparations for the loss of life and property damage in Kisangani.

IV. Cooperation with the Joint Military Commission

Co-location of the Joint Military Commission with MONUC

42. The Chairman of JMC, Brigadier Njuki Mwaniki, visited Kinshasa from 12 to 16 March and, inter alia, consulted with Government officials and MONUC on the modalities of relocating JMC from Lusaka to Kinshasa. MONUC indicated the assistance it could provide to JMC in terms of office space and equipment, communications, transport and supplies. The Government of Angola has also indicated its willingness to provide two flights to assist with the relocation. During its plenary session of 4 and 5 April, JMC decided to dispatch an assessment team to Kinshasa on 23 April to discuss the conclusion of a status agreement between the Government of the Democratic Republic of the Congo and JMC and assess physical security requirements for JMC delegates in Kinshasa. The report of the assessment team will be considered by JMC at its next plenary session and recommendations forwarded to the Political Committee.

Development of plans for the withdrawal of foreign forces and the disarmament, demobilization, reintegration, repatriation and resettlement of armed groups

43. At its meeting of 6 April, the Political Committee endorsed the concept of operations and timetable for phase I of the draft plan prepared by JMC for the disarmament, demobilization, reintegration, repatriation and resettlement of armed groups. The Political Committee also approved the concept of the

orderly withdrawal of all foreign forces from the country, including a calendar contained therein.

44. The plan endorsed by the Political Committee states that "the United Nations, acting under Chapter VII of the Charter of the United Nations, in collaboration with OAU, shall constitute, facilitate and deploy a peacekeeping force to track down all armed groups in the Democratic Republic of the Congo. In this respect, the United Nations Security Council shall be requested to provide the required mandate for the peacekeeping force."

45. Under the plan, the JMC, in conjunction with MONUC, would be expected to work out sub-plans for each phase of the operations contained in the plan, that is, identification and verification; enforcement (disarming, quartering and tracking); resettlement; and disarming of civilians. The Chairman of the Political Committee has defined "tracking" as locating and identifying the armed groups.

46. In accordance with the JMC plan on disarmament, demobilization, reintegration, repatriation and resettlement, the parties commit themselves to the process of locating, identifying, disarming and assembling all members of the armed groups and taking all the necessary measures to facilitate their repatriation. The parties also assume full responsibility for ensuring that armed groups operating alongside their troops or on the territory under their control comply with the processes leading to the dismantling of those groups. However, the plan assigns to the United Nations the "primary responsibility and obligation to disarm, assemble and track down" the armed groups. According to the plan, "the United Nations shall work out measures (persuasive or coercive) as are appropriate for the attainment of this objective". All sub-plans are to be completed by 15 May 2001, in accordance with resolution 1341 (2001).

47. The concept for the withdrawal of foreign forces envisages a four-phase timetable for a 180-day period starting from 22 February 2001 (D-Day). During that period, the parties are supposed to provide information on their dispositions to JMC/MONUC; issue withdrawal orders; move to assembly areas; and repatriate their forces. JMC/MONUC is to prepare a plan for monitoring the withdrawal, and MONUC is to verify that repatriation is complete.

48. However, the concept stipulates the following "prerequisites" that must be met before a final withdrawal of foreign forces can take place: the disengagement of forces; the disarmament of armed groups; and the holding of the national dialogue and the establishment of new institutions that will ensure the disarming of illegally armed civilians.

49. The Political Committee also called upon the Security Council to act in further support and enhancement of the disengagement process by immediately authorizing the deployment of additional military observers and related personnel to attain the level of 5,537 military personnel stipulated in Security Council resolution 1291 (2000) of 24 February 2000. It called upon the Security Council to take into account the need to ensure the stability and security of the Democratic Republic of the Congo following the withdrawal of all foreign forces, while planning for the third phase of the deployment of MONUC.

V. Status of MONUC deployment

Current deployment

50. As at 11 April 2001, MONUC had a total of 288 liaison officers and military observers. Within the Democratic Republic of the Congo, in addition to Kinshasa, liaison officers are deployed with the headquarters of the rebel movements (Bunia, Gbadolite and Goma) and the four regional JMCs (Boende, Kabalo, Kabinda and Lisala) (see map and annex). A further 21 liaison officers are stationed in the capitals of surrounding countries. Military observer teams are stationed in 11 locations (Dubie, Gemena, Ikela, Isiro, Kalemie, Kananga, Kindu, Kisangani, Mbandaka, Pepa and Pweto, and at Nchelenge in northern Zambia). In addition, MONUC has formed 29 teams of military observers to verify the disengagement of forces.

51. Sector headquarters are now operational in Kalemie, Kananga, Kisangani and Mbandaka. The first guard unit, provided by Uruguay, arrived on 29 March and is stationed at Kalemie. The second guard unit, provided by Senegal, arrived on 4 April and is based at Kananga. Later this month, a further guard unit provided by Senegal is scheduled to deploy to Mbandaka, and Morocco was scheduled to deploy guard units to Kisangani and Goma (but see para. 4). The deployment will be completed in May with the

arrival of a Tunisian guard unit in Kinshasa. MONUC logistic bases necessary to support the deployment of sector headquarters and guard units are already operational in Kinshasa and Goma and in Bangui in the Central African Republic. South Africa deployed one aero-medical evacuation unit to Kinshasa on 4 April and is scheduled to deploy in May an airfield crash/rescue unit and six aircraft cargo handling teams. Finally, Uruguay plans to deploy the first riverine unit during May and June.

Security

52. The parties have continued to provide satisfactory security for MONUC civilian and military personnel. Since the upsurge of Lendu-Hema fighting in Bunia, UPDF has provided a 24-hour guard for the MONUC premises. In Kinshasa, the Government has, since 15 December, assigned 45 civilian policemen for the protection of the premises and assets of MONUC at its headquarters, logistic base and Kinshasa airport.

53. The most serious threat to the security of United Nations personnel deployed in the field stems from lawlessness and the actions of armed groups. On 27 March 2001, a local staff member of the Office of the United Nations High Commissioner for Refugees (UNHCR) was shot and killed by armed men who stole his vehicle. The attack took place in Kimpese, about 200 kilometres south-west of Kinshasa. In South Kivu, the presence of armed groups has caused international agencies and NGOs to suspend many of their operations, but there have been no incidents that would indicate an increase in this threat during the past two months.

54. On 29 March, the RCD authorities arrested a MONUC local staff member following an incident at Goma airport. The staff member was accused of having distributed national flags of the Democratic Republic of the Congo to local people when the Uruguayan contingent arrived. The staff member was released four days later after intervention from MONUC. It would be prudent to expect more such incidents as MONUC activities intensify.

Cooperation of the parties

55. Liaison meetings held on a weekly basis between MONUC and the Government's Commissariat Général chargé des affaires de la MONUC have continued to yield positive results and good cooperation. On 26 March, the Government advised of the lifting of the requirement for prior notification of MONUC flights within the country. The change allows for MONUC to follow only regular international aviation requirements. Similar freedom of movement has been authorized for navigation on the Congo river between Government and rebel-held areas. MONUC has also been able to take advantage of the new financial law of February 2001 that allows all transactions to be conducted in hard currencies. Accordingly, I note with satisfaction the Government's overall implementation of the practical measures (S/2000/888, para. 51) necessary to initiate MONUC phase II deployment that was transmitted to the Minister for Foreign Affairs of the Democratic Republic of the Congo on 11 September 2000.

56. However, MONUC continues to experience difficulties in negotiations with RCD authorities over the deployment locations of sector headquarters and guard units in Goma, Kalemie and Kisangani. While suitable sites have now been agreed upon in three locations, MONUC is not yet satisfied with the level of cooperation its officials are receiving from RCD, and will continue to encourage the RCD leadership to comply with paragraph 9 of resolution 1291 (2000), by which the Security Council called upon the parties to support actively the deployment of MONUC to areas deemed necessary by my Special Representative. The failure so far to resolve fuel supply questions has resulted in delays for the verification of the disengagement operation in sector four and has imposed a serious de facto limitation on MONUC freedom of movement in RCD-controlled areas, since MONUC helicopters cannot fly. In a meeting with my Special Representative in Goma on 10 April, the RCD leadership promised to give instructions to their local commanders to cooperate with MONUC on this issue.

57. While FLC officials have been largely cooperative with deployed MONUC teams, the FLC Chairman had refused until as late as 12 April to allow the deployment of MONUC military observers to Basankusu. It is hoped that the agreement MONUC reached with the FLC on that day will allow the FLC to meet its commitments.

Next steps

58. In accordance with the Harare disengagement sub-plan, a 56-day period of verification began on 29 March, during which teams of MONUC military observers will verify the disengagement and redeployments sequentially across the four areas identified in the sub-plans in blocks of 14 days each. Once the MONUC teams have finished verifying compliance in one area, they will leave monitoring teams in place. At the conclusion of the 56-day period, MONUC will be fielding a total of 376 officers to conduct continuous monitoring in the four areas.

59. In the implementation protocol to the Harare sub-plans adopted by JMC on 23 March, the parties agreed to provide the location and strength of any military unit or headquarters within 50 kilometres of the disengagement zone.

60. MONUC began the verification process on 29 March in sector IV (Katanga). However not all parties have yet notified MONUC of the appointment of liaison officers, and the regional JMC at Kabalo is yet to be co-located with the MONUC Sector Headquarters at Kalemie. None of the parties, except RCD-ML, have provided MONUC with detailed information on their current location, troop strength and equipment.

61. The task of MONUC has been complicated by the increase in the number of defensive positions in the revised Harare sub-plans, which may require an increase in the number of MONUC military observers.

62. During the disengagement phase, MONUC received information indicating the presence of minefields laid by the belligerent forces to protect their front-line positions. MONUC expects to receive further and more precise information on the locations of such minefields during the verification and monitoring phase. To enable MONUC to maintain proper records as well as conduct mine awareness campaigns for military observers and the civilian population of affected areas, MONUC is considering the establishment of a Mine Action Centre. In view of both the increased number of new defensive positions and the danger of mines, MONUC has also confirmed the need to create additional small coordination centres, possibly located at Basankusu, Boende, Lusambo and Manono, as indicated in my sixth report (S/2001/128).

VI. Humanitarian aspects

63. The humanitarian situation in the Democratic Republic of the Congo continued to be a cause for grave concern despite some marginal improvements. The latest estimates of the Office for the Coordination of Humanitarian Affairs indicate that the total number of displaced persons has decreased over the last four months from 2 million to 1.89 million. Of these, 1 million are currently located in North and South Kivu. Approximately 80 per cent of the displaced persons in South Kivu are children.

64. UNHCR reports that there are over 338,433 Congolese refugees in neighbouring countries, including 114,436 in the United Republic of Tanzania, 83,680 in the Republic of Congo and 56,000 in Zambia. The total estimated number of refugees currently in the Democratic Republic of the Congo is 329,815 (with 178,265 Angolans, 73,035 Sudanese, 42,470 Rwandans and 20,000 Burundians). Less than half of the displaced person and refugee population in the Democratic Republic of the Congo receives direct relief assistance.

65. The number of persons in critical need of food remains at an estimated 16 million. The situation is particularly grave in Kinshasa where over half of the 7 million inhabitants live on less than $1 per day. In many areas, the greatest challenges are not related to the production of food, but rather to the means of moving it to centres of population. Over the past six months, however, the situation in the eastern provinces has been aggravated by the fact that the production of manioc, which constitutes 70 per cent of the daily food intake of the people, has plummeted owing to disease and conflict. The resultant population displacement has led to the once fertile areas such as Shabunda and Walikale in the Kivus and Kabinda in Kasai becoming areas where malnutrition is rife.

66. The public health situation in the Democratic Republic of the Congo has continued to decline. Some 37 per cent of the population remains without access to essential medical facilities and less than 47 per cent has access to safe drinking water. The child mortality rate is very high (127 per 1,000 live births) and overall vaccination coverage remains low (tuberculosis: 30 per cent; polio: 22 per cent; measles: 24 per cent). Recent government statistics indicate that 2 million people are infected with the AIDS virus, which is twice as many as in 1999. The eastern provinces have the highest

rates, the number of people infected with AIDS having increased fivefold (from 4 to 22 per cent) over the past two years in towns such as Goma, Bukavu and Beni. On 3 March, the government authorities launched a nationwide awareness campaign in an attempt to control the most common illnesses in the country. One of these is malaria, which kills up to 200,000 people a year, 20 per cent of whom are children.

67. The European Union, the principal donor to the Democratic Republic of the Congo, has donated euro 35 million as emergency humanitarian assistance for interventions in the agriculture, food and health sectors. In February 2001, the Government of the United States of America announced a donation of $10 million for emergency assistance ($3.5 million for UNHCR, and $2 million for the Office for the Coordination of Humanitarian Affairs). During the reporting period, the Vice-Minister for International Cooperation of the Democratic Republic of the Congo signed the Protracted Relief and Rehabilitation Operation agreement with the World Food Programme (WFP) for assistance valued at $112 million. Under the operation, WFP aims to provide food assistance to 1.4 million beneficiaries in 2001 and 1.16 million during 2002. The United Nations Development Programme (UNDP) also signed an agreement with the Government covering a $4.6 million cooperation programme; these funds will be used to set up micro-credit programmes, implement AIDS prevention programmes and train local non-governmental organizations (NGOs), principally in Bandundu and Bas Congo provinces.

68. Of the $140 million sought in the Consolidated Appeal for the Democratic Republic of the Congo for 2001, about $31 million had been received as of the end of February 2001. Of the requirements of WFP, the United Nations Children's Fund (UNICEF) and the Food and Agriculture Organization of the United Nations (FAO) given in the Appeal, only 17, 22 and 18 per cent, respectively, have currently been met.

69. A joint mission organized by the Office for the Coordination of Humanitarian Affairs was dispatched to Ituri from 14 to 19 February with the aim of gathering information on the humanitarian situation and supporting initiatives to ease tensions between the various communities. Among the assistance measures planned was the provision of clothing to encourage displaced persons to present themselves for other relief programmes. UNICEF will provide 10 tons of therapeutic milk (enough for a three-month supply) and quantities of blankets and school kits. UNICEF and the Office for the Coordination of Humanitarian Affairs/Emergency Humanitarian Interventions (EHI) will combine efforts to collect and transport plastic sheeting; and UNICEF and the World Health Organization (WHO) will organize micro-planning and training sessions to doctors of the 18 health zones in Ituri district. Routine immunization programmes will resume shortly.

70. Whenever possible, MONUC has provided logistical support for humanitarian programmes and, since the beginning of January, three tons of medicines and other emergency goods have been carried by MONUC aircraft. The mission has also continued to utilize vacant seats on its flights for the family reunification programme, medical evacuations or other compelling humanitarian reasons. More than 500 citizens have benefited from this service over the past six months.

71. The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Kenzo Oshima, visited the Democratic Republic of the Congo from 5 to 11 April, and was expected to brief the Security Council on his visit shortly after his return. During his visit, Mr. Oshima was able to exchange views with the Government, United Nations agencies and the International Committee of the Red Cross (ICRC) and NGOs and to make several field visits to apprise himself of the dire humanitarian needs in the country.

VII. Human rights

72. Although the human rights situation throughout the territory of the Democratic Republic of the Congo continued to give cause for great concern, there have been discernible improvements in the attitude of the Government regarding respect for human rights as well as some reduction in violence and ethnic tension in the eastern provinces.

73. President Kabila has continued to demonstrate a commitment to pursue a more energetic human rights agenda. In the period since my last report, the President decreed the immediate closing of all non-judicial detention centres, established a commission to review decree-laws Nos. 194 and 195 on political activities and non-profit organizations, and invited the Special

Rapporteur to visit and to resume his monitoring of the situation on human rights in the Democratic Republic of the Congo. In addition, President Kabila met with the United Nations High Commissioner for Human Rights on 29 March and addressed the Commission for Human Rights in Geneva on 30 March.

74. The Government of the Democratic Republic of the Congo announced the convening of a national conference on human rights in early May. The conference will discuss openly the human rights situation in the country. It will propose a new national plan of action for human rights and make appropriate recommendations on mechanisms for establishing accountability and the rule of law. Human rights groups, academics, church leaders, international organizations as well as non-governmental organizations will participate in the conference.

75. Despite these positive developments, the period immediately following the assassination of President Laurent-Désiré Kabila was a time of unrestrained human rights abuse by the members of the armed forces and security agencies. Regrettably, no judicial inquiry has been established to investigate and prosecute all those suspected of involvement in the assassination. Conducting extrajudicial investigations tainted by political considerations does not guarantee the accused minimum requirements of transparency, objectivity and impartiality. As a consequence, there have been many reports of targeted killings and disappearances of people of South Kivu ethnic origin, civilians appearing before military inquisitors and the deplorable case of 10 Lebanese nationals abducted on 16 January and summarily executed. I trust the Government will fulfil its undertaking to deal with the perpetrators of this crime in accordance with the relevant provisions of the law of the Democratic Republic of the Congo.

76. The Government admitted also that Commandant Masasu, a former close ally of the late President Laurent-Désiré Kabila, had in fact been executed last year. He had been tried by the Court of Military Order in November 2000 and executed shortly thereafter for plotting to overthrow the Government. The confirmation of his execution was in shocking contrast to the formal denial in a communiqué issued by the FAC Chief of Staff on 16 December 2000.

77. In the eastern provinces of the Democratic Republic of the Congo, the situation continued to be particularly troubling owing to the absence of governmental structures in rebel-controlled territory and the lawlessness of armed groups. There have nevertheless been indications that both main rebel movements have acknowledged international protests over flagrant breaches of human rights in areas under their control. FLC hosted a gathering of leaders of civil society and international representatives in Butembo on 24 February 2001 to discuss the restoration of peace and human rights. For its part, RCD has taken steps to improve its administration, and some 120 local officials have been receiving training on good governance in Kigali.

78. While the reported number of incidents and attacks by armed groups has fallen over the past two months, a culture of violence continues to pervade South Kivu. In response to pleas from Banyamulenge communities alleging that they were on the verge of being exterminated by Hutu fighters and Mayi-Mayi groups, MONUC dispatched two human rights officers to Bukavu. According to their findings, the situation in South Kivu is one of generalized terror where all sides have had recourse to killings, rape, the burning of homes, intimidation, kidnappings and the use of landmines. These atrocities are deemed to be deliberate strategies to induce flight and/or eliminate rival groups. Militia leaders act with impunity and arbitrary detentions, disappearances and extrajudicial executions are commonplace. There was compelling testimony that Mayi-Mayi and Interahamwe militias had committed frequent atrocities against civilian communities identified with the Tutsi ethnic group and the Rwandan occupying forces, particularly in the Kaluzi-Biega, Ruzuzi plain and the Haut Plateau areas of South Kivu. The hatred and violence is of a genocidal character.

79. The agreements and contacts (see para. 19 above) established over the past two months between FLC and RCD and many of the Mayi-Mayi militias in North and South Kivu may account partially for the decrease in the number of incidents reported to MONUC. Dialogue with the militias is a positive development that should lead to a less anarchical situation in the Kivus. It would, however, be a matter of regret if the agreements reached transpired to be mere changes of alliance rather than a means of facilitating disarmament and the rehabilitation of militiamen into society.

80. The north-eastern region of Ituri has remained tense but without any further violent clashes between

ethnic Hemas and Lendus following the brokering of a pact between the two tribes by FLC Chairman Jean-Pierre Bemba on 17 February. The agreement provides for an immediate cessation of hostilities, dismantling of the training centres for militiamen, control of military movement and border crossings, setting up of peace tribunals and rehabilitation of prisons. Pursuant to the agreement, FLC will ensure security for the free movement of goods and people. Collective grazing rights in the disputed territory of Djugu will be restored and a solidarity fund will be established to rehabilitate areas wrecked by the conflict. Both ethnic groups will send representatives into the rural areas to sensitize residents on peaceful coexistence and mutual tolerance. The region will also have two vice-governors, one each from the Hema and Lendu tribes, with the governor coming from a different tribe.

81. A report completed by MONUC human rights officers indicates that the above agreement is being respected but concludes that, unless actions are undertaken by the international community to diffuse tension, further violent and uncontrolled confrontations can be expected. The report further concludes that breaking the spiral of violence in the Bunia area requires the withdrawal of Ugandan forces and the establishment of strong local administrative structures. The report proposes the establishment of an independent international commission of inquiry to investigate the underlying causes of the ethnic conflict as well as the deployment of additional MONUC human rights officers and military observers in Bunia.

82. The Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo, Mr. Roberto Garreton, visited the country from 11 to 21 March. At the conclusion of his visit, the Special Rapporteur reiterated his call for the release of the remaining political prisoners and journalists, the abolition of the Court of Military Order and the abolition of the death penalty. He vigorously condemned the extrajudicial killing of the 10 Lebanese nationals, the execution of Commandant Masasu and the gross violation of human rights in the rebel-held territories. While he welcomed the Government's new human rights initiatives, he expressed the hope that they were not just rhetorical commitments but discernible changes in the Government's attitude and its willingness to accept the inevitability of democratic rule with appropriate enforcement mechanisms.

VIII. Child protection

83. The recruitment of children into armed forces and various warring groups remains a serious concern. MONUC has continued to report regular sightings of child soldiers all over the Democratic Republic of the Congo.

84. Since reports continue to indicate that between 15 and 30 per cent of newly recruited combatants are children under 18 years of age (with a substantial number less than 12 years of age), UNICEF is undertaking a comprehensive study on the protection of children in the eastern provinces. In addition, an awareness-raising campaign is being prepared with a view to sensitizing local authorities and civil society on the rights of children and the prevention of the recruitment of children into armed forces/groups, as well as building support for the disarmament, demobilization and reintegration of child soldiers.

85. As I mentioned in my fifth report (S/2000/1156, para. 75), a considerable number of Congolese children were taken in August 2000 from the Bunia, Beni and Butembo areas of the Democratic Republic of the Congo to Uganda for military training at the Kyankwanzi camp. The Government of Uganda has since granted UNICEF access to these children. UNICEF is working closely with ICRC which has started the process of family tracing by sending Red Cross messages to the different communities. As soon as information is received from the families concerned, ICRC will proceed with the reunification of children with their families. In the meantime, 163 children are in a temporary transit centre in Masindi district and are being cared for by UNICEF Kampala. ICRC has agreed to provide UNICEF with all pertinent information to facilitate a pre-reunification campaign as well as post-reunification monitoring.

86. In what was a first step towards the implementation of the 9 June decree on demobilization, the late President Laurent-Désiré Kabila granted access to FAC military camps for the initiation of the disarmament, demobilization and reintegration process for child soldiers. With the concurrence of the Ministry of Defence, a team of enumerators travelled to a number of military camps during February and March to begin the disarmament, demobilization and reintegration process. Regrettably, information on the granting of access did not appear to have been received by the commanders of the camps, making it impossible

for the teams to make progress. The Ministry of Defence is attempting to overcome the deadlock through a sensitization seminar organized with support from UNICEF.

87. Among their other activities, MONUC child protection advisers are supporting the committee set up by the Minister for Human Rights of the Democratic Republic of the Congo in drafting a national plan for the disarmament, demobilization and reintegration of vulnerable groups, including child soldiers. After reviewing proposals from the 1999 international forum on disarmament, demobilization and reintegration, the UNICEF regular country programme and the joint project of the International Labour Organization (ILO) and World Bank, the committee will recommend a mechanism for the coordination of the process.

88. On 3 April, following talks with MONUC and UNICEF, the RCD authorities initially agreed to the demobilization and reintegration of a total of 667 child soldiers. The children are currently with the RCD armed forces at the Kamana training camp in Kasai Oriental Province, and the Mushaki camp in Masisi. No releases have yet taken place. MONUC and UNICEF, together with ICRC and NGOs, are continuing to press for the full adherence by RCD-Goma to resolution 1341 (2001) concerning the ending of the recruitment, training and use of children in the war effort.

IX. Financial aspects

89. As indicated in paragraph 68 of my sixth report (S/2001/128), the General Assembly, by its resolution 54/260 A of 7 April 2000, granted me commitment authority, with assessment, in the total amount of $200 million to cover the mission's immediate requirements and to enable it to initiate logistical preparations for the phased deployment of the formed military personnel. By its subsequent resolution 54/260 B of 15 June 2000, the Assembly, taking into account the amount of $58.7 million committed for MONUC during the period ending 30 June 2000, authorized me to use during the period beginning 1 July 2000 the amount of $141.3 million, representing the balance of the commitment authority provided for MONUC in resolution 54/260 A.

90. Pursuant to Security Council resolution 1341 (2001), I have requested the concurrence of the Advisory Committee on Administrative and Budgetary Questions in entering into additional commitments for the mission in the amount of some $50 million to support the deployment of military guard units, additional military observers and civilian personnel, as well as to enable MONUC to complete the necessary logistical arrangements, including contracting additional air assets.

91. My proposed budget for MONUC for the current financial period ending 30 June 2001 is under preparation and will take full account of the additional resource requirements arising from its revised concept of operations. I shall request the General Assembly to take action on the budget as well as on the financing of the mission's activities for the 2001-2002 financial period beginning on 1 July 2001, in May 2001, during the second part of its resumed fifty-fifth session.

92. As at 31 March 2001, unpaid assessed contributions to the MONUC special account amounted to $33.5 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,371.4 million.

X. Next steps

93. The steps taken so far by JMC and the Political Committee to comply with the requirement in resolution 1341 (2001) to produce plans for the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo and for the disarmament, demobilization, reintegration, repatriation or resettlement of the armed groups identified in the Lusaka Agreement are described in paragraphs 43-49 above.

94. However, considerable additional work will need to be done in order to produce plans that can serve as a suitable basis for a MONUC mandate in an eventual third phase of deployment. MONUC has advised JMC and the Political Committee that the United Nations is unlikely to endorse a plan which assumes that it will "enforce" disarmament under a Chapter VII mandate. It is also doubtful that the troops and resources necessary to implement such a mandate would be made available even if it were adopted. Furthermore, the inclusion of preconditions for the withdrawal of foreign forces casts doubt on the validity of the withdrawal timetable. Nevertheless, it may be worthwhile, even at this stage, to consider what might be required in the event of a third phase of operations, as originally envisaged in my report of 15 July 1999 (S/1999/790).

Entry into phase III

95. While phase II is essentially a technical military operation of relatively limited scope, phase III could potentially require a significant expansion in the mandate and the size of MONUC.

96. MONUC is well aware of the enormous challenges that would accompany a potential third phase of operations and a number of steps have already been taken to examine the conditions under which an approach towards disarmament, demobilization, reintegration, repatriation or resettlement could be developed. Pursuant to resolution 1341 (2001), a number of parallel initiatives were launched by JMC, MONUC and the Department of Peacekeeping Operations. The Chairman of JMC has established a working group on disarmament, demobilization, reintegration, repatriation or resettlement that has started outlining the necessary parameters. MONUC has established a joint military/civilian team to work on the technical aspects and will establish a special unit to support the planning and implementation of the programme. On 2 and 3 April, the Department of Peacekeeping Operations organized a seminar on the issue involving leading academics and concerned NGOs. The Department of Peacekeeping Operations has also sent two specialist teams — of logistical experts and military planners — to the Democratic Republic of the Congo to assist MONUC in its planning.

97. The future mandate of MONUC should take into account the serious difficulties expected to arise during and immediately after the implementation of the Lusaka Ceasefire Agreement and the role MONUC can play in helping to resolve those difficulties. During the third phase, three major tasks are to be accomplished, in accordance with the Lusaka Ceasefire Agreement: the withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo; the securing of the borders of the Democratic Republic of the Congo with Uganda, Rwanda and Burundi; and the disarmament, demobilization, reintegration, repatriation and resettlement of the armed groups. In fact, however, there are already indications that, difficult as these tasks will be to carry out, MONUC may well have to incur additional obligations and risks which will be more exacting still.

Withdrawal of foreign forces

98. MONUC currently has neither the mandate nor the strength to assume responsibility for the security of the civilian population. However, in the event that all foreign forces withdraw from the territory of the Democratic Republic of the Congo, the question of responsibility for the security of the civilian population must be addressed. It may be necessary for the parties, in consultation with MONUC and perhaps the neutral facilitator, to devise mechanisms for local administration, including the security of local populations in the areas to be evacuated by foreign forces.

99. Part of the problem relates to the need for interim civilian administration and the provision of basic services. In addition, the vacuum left by the withdrawal of foreign forces in some areas may permit the resurgence of conflicts which the presence of those forces may have helped to keep in check. In this context, the situation of the Banyamulenge in South Kivu (see para. 78 above) is of particular concern.

100. The risk that during and after phase III the civilian population could continue to suffer violence, displacement, lawlessness and deprivation cannot be ignored. Initial indications of the situation in the eastern part of the country suggest that this could indeed be the case unless proper measures are taken to prevent such an eventuality. It will be necessary at the appropriate time to discuss with the parties to the conflict what those measures should be and how to put them in place.

101. Even if adequate security were assured, the problems of providing humanitarian assistance would immediately become apparent. The scale of the humanitarian problems in the areas already accessible is immense. The plight of the populations in the inaccessible areas may be far worse. As MONUC deploys in areas which are currently inaccessible, it is sure to encounter hunger, disease, poverty and deprivation at horrifying levels, affecting hundreds of thousands or millions of people. The restoration of peace and national reconciliation will simply not be possible unless rapid and effective steps are taken to mitigate the worst of these evils. Planning for the necessary efforts to do so must begin now, on the basis of the findings of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, who has just returned from a visit to the

country. An important step in this direction could be the reopening of the internal waterway system which, if it could be achieved, would both improve internal communications and promote confidence-building.

102. Human rights throughout the Democratic Republic of the Congo have long been under serious threat, as is made clear in section VII above. The withdrawal of foreign forces could be accompanied by fresh human rights violations in a climate of confusion and impunity. It may be necessary to consider what further steps MONUC and the parties might take to avert and address human rights violations.

Disarmament and demobilization of armed groups

103. The tracking down of armed groups and their disarmament by force are not peacekeeping functions. In my report of 15 July 1999 (S/1999/790) I stated that there was no military solution to the problems posed by the armed groups, and that is still my view. Any recommendation I make concerning the assistance MONUC can provide to the disarmament, demobilization, reintegration, repatriation or resettlement process will be based on the assumption that MONUC will not be called upon to use enforcement action. In some cases, it is anticipated that armed groups/elements serving with allied forces may present themselves to MONUC for voluntary disarmament and demobilization. MONUC may be called upon to assist accordingly.

104. The nature and operational requirements of the disarmament, demobilization, reintegration, repatriation or resettlement plan to be submitted by the parties are not yet known in sufficient detail. At the current stage, not enough is known of the armed groups, their numbers, their weaponry, their location, their command structures and leadership and their likely intentions to make it possible to draw up a detailed operational plan for immediate implementation, even if the resources were available. At the same time, some of the solutions that are contemplated for these groups require the fulfilment of important political preconditions. On the basis of information provided by the parties, MONUC will need to coordinate with the various other humanitarian and developmental initiatives regarding reintegration and reconstruction in supporting the efforts of the parties to formulate a "master plan" for disarmament, demobilization, reintegration, repatriation or resettlement. This master plan will culminate in the incorporation of efforts for disarmament, demobilization, reintegration, repatriation or resettlement in regular development activities at the earliest possible time.

105. All parties to the conflict in the Democratic Republic of the Congo have had recourse to child soldiers, and the armed groups are no exception. The exact number of child soldiers in the Democratic Republic of the Congo is unknown, but is feared to be extremely high. Children have been among the most vulnerable of all the victimized groups in the Democratic Republic of the Congo, and in the event that phase III is undertaken a major effort will be required throughout the country to rescue and care for them and to reunite them with their families if possible. It is important to stress that while the situation concerning child soldiers is extremely critical, the suffering and needs of the millions of children who did not become child soldiers cannot be ignored. Plans for reintegration must take into account the needs of internally displaced children, young girls and disaffected youth, or other groupings that are developing political overtones. The Under-Secretary-General for Children and Armed Conflict intends to visit the Democratic Republic of the Congo in the very near future, as called for by the Council in resolution 1341 (2001). Any recommendations made in connection with this problem for a possible future role for MONUC will be based on his findings.

106. The risks of dealing with the armed groups cannot be overestimated. For example, the former Rwandan Government forces (former Forces armées rwandaises, or ex-FAR) and Interahamwe militia carried out the Rwandan genocide of 1994 and were responsible for the killing of 10 Belgian peacekeepers. These groups have continued to fight ever since in the remote forests of the Kivus. They have carried out murderous raids into Rwanda itself. They fought in the war of 1996-1997 and in the current war, which began in 1998. There is credible evidence that they are closely allied to the Burundese rebel groups and may have taken part in the fighting in Burundi. A number of their leaders may be under indictment by the International Criminal Tribunal for Rwanda. Very little is known of their leadership and command structure, their relationships with other groups, their numbers or

their armament. They are believed to be heavily armed and must be considered extremely dangerous.

Border security

107. The United Nations will not be in a position to secure the border between the Democratic Republic of the Congo, Uganda, Rwanda and Burundi by military means. These borders can be considered truly secure only if all four countries are at peace with one another and none allows its territory to be used as a springboard for attacks on any other. That must be a matter for the Governments concerned. However, it is recognized that effective border control is a prerequisite for stability and peace in the Great Lakes region as a whole.

108. In the matter of border security, and in other aspects of a potential third phase as well, the impact of the implementation of the Lusaka Agreement on the situation in Burundi cannot be neglected. While an analysis of that impact is beyond the scope of the present report, the situation in Burundi is closely linked with that in the Democratic Republic of the Congo.

Importance of the Kivus

109. North and South Kivu are the focus of most current armed group activity. The Kivus form most of the border area between the Democratic Republic of the Congo and its eastern neighbours, Uganda, Rwanda and Burundi. The Kivus are also home to a lively and diverse civilian society, with numerous church-based and human rights-oriented organizations. The Mayi-Mayi militias, some of which have recently signed an agreement with FLC, are an important factor in the Kivu equation and must be included in the planning process for a comprehensive programme for disarmament, demobilization, reintegration, repatriation or resettlement. In the context of the Democratic Republic of the Congo and future MONUC operations there, the Kivus have great strategic significance. They could also pose serious potential risks, including the plight of the Banyamulenge (see para. 78 above).

110. The Security Council has already declared itself ready to support a possible deployment of MONUC in Goma and Bukavu, in North and South Kivu respectively. MONUC already has a logistical base in Goma, but no other presence at this point in the Kivus. In particular, progress in the inter-Congolese dialogue could have a positive effect on the conduct of the disarmament, demobilization, reintegration, repatriation or resettlement exercise in the Kivus. Given the importance of the Kivus, it might be necessary for MONUC to pay special attention to the political, human rights, humanitarian and security situation in the two Provinces.

XI. Observations

111. After a long period of apparent stagnation since the first deployment of MONUC in September 1999, much has changed since the beginning of 2001. Phase II has been launched, though compliance in some areas leaves much to be desired. In this context, I deplore the obstructive attitude of the RCD authorities in blocking the deployment of the Moroccan contingent to Kisangani. MONUC deployment should not be made conditional on any factor, including the investigation of alleged ceasefire violations. RCD must permit the deployment of MONUC troops without further delay, fully restore its cooperative relations with MONUC and desist from further harassment and obstruction. The international community has waited long enough for progress in resolving the conflict in the Democratic Republic of the Congo, and will have little patience for yet further delay from this source.

112. I also urge FLC to work with MONUC, FAC and Government authorities to find ways of fulfilling its commitment to disengage its forces in accordance with the revised Harare plan in such a way that the security of the local populations concerned is protected.

113. It is now necessary for all parties to follow up on the steps some of them have taken so far by pulling back to their new defensive positions, appointing liaison officers to work with MONUC and providing the necessary details of their strength and dispositions so that MONUC can continue the verification operations it has begun.

114. If all the above actions are carried out, the second phase of MONUC's deployment will be substantially complete. The third phase, however, could be incalculably more difficult, complex, risky and expensive. Nevertheless, I believe the Security Council should contemplate entering phase III, once the necessary conditions are in place, on the basis of

thorough preparation and planning. The momentum generated by a successful disengagement of forces should not be lost. Nor should the forces be permitted to make their new defensive positions permanent. Both the Lusaka Ceasefire Agreement and resolutions 1304 (2000) and 1341 (2001) require the full withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo, and the Governments concerned must be held to full compliance with their commitments.

115. I welcome the bilateral contacts that have taken place between the Democratic Republic of the Congo and Uganda, as well as between the other parties. I earnestly hope that the disengagement process and progressive repatriation of battalions will generate more confidence. While the plan for the withdrawal of all foreign forces awaits completion, I am confident that continued implementation of the Lusaka Agreement and the Kampala/Harare disengagement plans, further bilateral contacts and a joint commitment to address the issue of the armed groups in the eastern provinces constitute the surest way of achieving a lasting settlement and the withdrawal of all foreign troops from the Democratic Republic of the Congo. I would encourage the Governments of the Democratic Republic of the Congo and Rwanda to pursue dialogue to that end.

116. MONUC and the Department of Peacekeeping Operations will continue their information-gathering and assessment of the situation in the eastern part of the Democratic Republic of the Congo and their planning for a possible phase III, in full cooperation with the parties. In this context, the Security Council mission to the Democratic Republic of the Congo in the latter part of May will be an invaluable opportunity for members to examine the emerging situation there at first hand and to determine what action may be needed to facilitate the initiation of phase III.

117. I intend to submit a report to the Council before 15 June 2001, the end of the current mandate of MONUC, and to include in that report recommendations for ways in which MONUC and the United Nations can assist the parties in carrying out workable plans for the withdrawal of foreign forces and the disarmament, demobilization, reintegration, repatriation or resettlement of armed groups. Those recommendations will be based on the best information available at the time, including any conclusions reached by the Security Council on the basis of the report of its mission to the Democratic Republic of the Congo, as well as all the information to be made available by the parties.

118. Precisely what those recommendations will contain cannot be indicated at this time. However, I take very seriously the dangers that might confront those populations with the departure of the foreign forces, which is imperative, and I believe members of the Council share those concerns. Nor can any observer fail to be moved by the overwhelming humanitarian needs of all the people of the Democratic Republic of the Congo and the enormity of the human rights violations inflicted on women, men and children alike. Therefore, the United Nations should examine what it can do to help prepare for the situation which may develop in the Democratic Republic of the Congo following the withdrawal of foreign forces, which are now responsible for the security of the civilian population in the areas under their control.

119. I should like to express my appreciation to my Special Representative, Mr. Kamel Morjane, to the MONUC Force Commander, General Diallo, and to all the personnel of MONUC, civilian and military, for the efforts they continue to make to restore peace to the Democratic Republic of the Congo.

Annex

United Nations Mission in the Democratic Republic of the Congo: as at 11 March 2001

	Military observers	*Staff officers*	*Total*
Algeria	6		6
Bangladesh	9	7	16
Benin	14	2	16
Belgium		1	1
Bolivia		1	1
Burkina Faso	2		2
Canada	1	5	6
China	4		4
Czech Republic	3		3
Denmark	1	1	2
Egypt	24	1	25
France	2	2	4
Ghana	4		4
India	18		18
Jordan	11		11
Kenya	18	4	22
Libyan Arab Jamahiriya	1		1
Malawi	13		13
Malaysia	7	11	18
Mali	1		1
Morocco		4	4
Mozambique	2		2
Nepal	16	1	17
Niger	2	1	3
Nigeria	9	1	10
Pakistan	18	9	27
Peru	3		3
Poland	2		2
Romania	16	1	17
Russian Federation	10		10
Senegal	8	17	25
South Africa	1	1	2
Sweden	2		2
Switzerland		1	1
United Republic of Tanzania	4	1	5
Tunisia	15		15

	Military observers	*Staff officers*	*Total*
United Kingdom of Great Britain and Northern Ireland		5	5
Ukraine	6		6
Uruguay	19	13	32
Zambia	5		5
Total	**277**	**90**	**367**

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